

REMARKS/ARGUMENTS

Applicants respectfully request reconsideration of the present application, withdrawal of the previously presented rejections, and formal notification of allowance of all pending claims in view of the preceding amendments and the following remarks.

I. Status of Claims

This Amendment is filed in response to the Office Action mailed March 29, 2010. In the Office Action, Claims 1 and 3-6 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicant regards as the invention. The Office Action also rejected Claims 1-9 under 35 U.S.C. § 102(b) as being anticipated by, or in the alternative under 35 U.S.C. § 103(a) as being obvious in view of U.S. Patent No. 4,310,479 to Ooms et al. ("*Ooms*"). These rejections are addressed below.

Applicants appreciate the thorough examination of the application by the Examiner. However, Applicants respectfully submit that all of the pending claims are allowable in light of the above amendments and the following arguments. For the Examiner's reference, Applicants have amended Claims 1-8 and added new Claim 10, thereby leaving Claims 1-10 pending in the application.

II. Rejections under 35 U.S.C. § 112

With regard to the rejection of Claims 1 and 3-6 under 35 U.S.C. § 112, second paragraph, the Examiner perceived indefiniteness for failing to particularly point out and distinctly claim the subject matter that the Applicant regards as the invention. To eliminate this concern, Applicants have amended Claims 5 and 6 to replace the term "of the Mazzoni type" with a definite limitation that the extruder be "a Mazzoni extruder." Similarly, Applicants have amended Claim 4 to replace the term "a Sigma G. Mazzoni type" with a definite limitation that the mixer be "a Sigma G. Mazzoni mixer." Applicants further submit that the term "Trafila" as used in Claims 1 and 3 is a technical term commonly known and used in the art to refer to a machine that draws extruded masses through a plate having one or more orifices so as to create

distinct pieces, which are subsequently cut as necessary. In support of this assertion, Applicants submit herewith a copy of page 668 of the New English and Italian Pronouncing and Explanatory Dictionary, as digitized by Google.¹ Applicants respectfully submit that, in light of this evidence and the above-noted amendments, this rejection of Claims 1 and 3-6 have been overcome. Therefore, Applicants respectfully request that the Examiner withdraw this rejection of Claims 1 and 3-6 and issue a Notice of Allowance.

III. Rejection of Independent Claim 1

With regard to the rejection of independent Claim 1 under 35 U.S.C. § 102(b) as being anticipated by, or in the alternative under 35 U.S.C. § 103(a) as being obvious in view of *Ooms*, Applicants respectfully disagree. In particular, Applicants respectfully assert that independent Claim 1 is not anticipated or rendered obvious by *Harger* because the reference fails to disclose or teach at least “introducing the mixture . . . into a final Trafila operating in an open atmospheric environment” and “adding a translucent phase by means of a conveyor belt that acts as a dosing equipment.”

Applicant notes that *Ooms* discloses a process for producing transparent variegated soap bars. The process includes mechanically working soap material to form two or more separate soap masses, at least one of which is transparent, extruding the soap masses to form noodles, commingling the soap noodles in a plodder preferably having a vacuum chamber, and forming soap bars from the extruded and commingled soap. (*See* col. 2, lines 35-50). In particular, the soap masses are generally prepared through conventional milling and plodding steps. (*See* col. 3, lines 38-46). Further, each of the formed soap masses are separately extruded by a preliminary plodder, thereby forming the soap noodles. (*See* col. 3, lines 59-63). Commingling of the noodles requires a pressure of from about 63 to about 74 cm. of mercury, which is preferably supplied by feeding the commingled noodles from conveyor belts (4, 13) and through a vacuum

¹ New English and Italian Pronouncing and Explanatory Dictionary, as digitized by Google, and available at, for example, http://books.google.com/books?id=6JkQAAAAYAAJ&printsec=frontcover&dq=new+english+and+italian+pronouncing&source=bl&ots=8bTJn0qEBD&sig=BfNqkVY6yi8Nof_Rn2ZFjJfxo&hl=en&ei=gkeiTI_7IcOcnAf84dDEAw&sa=X&oi=book_result&ct=result&resnum=6&ved=0CC0Q6AEwBQ#v=onepage&q&f=false.

chamber in advance of a final plodder. (See col. 3, line 66 – col. 4, line 3). The vacuum chamber prevents improper fusing of the soap noodles in advance of the final plodder. (See col. 4, lines 4-5).

Applicants respectfully assert that the process of independent Claim 1, as amended, involves introducing a soap mixture into a final Trafila operating in an open atmospheric environment. This configuration is enabled because the process of Claim 1, as amended, introduces a soap mixture to its final Trafila, as opposed to soap noodles, which may be prone to improper fusing. As a result, this configuration permits the process of Claim 1 to dispense with the use of additional components, such as, for example vacuum chambers, that may require costly maintenance or repair after extended operation. In contrast, the final plodder of *Ooms* does not operate in an open atmospheric environment, but rather it operates within a sealed and controlled vacuum chamber. Further, *Ooms* discloses and teaches that such a vacuum chamber is preferable because it prevents the formed soap noodles from improperly fusing in advance of the final plodder. In other words, *Ooms* neither discloses nor teaches a process lacking any sort of vacuum chamber, as found in independent Claim 1, as amended.

Further, Applicants respectfully assert that the process of independent Claim 1 involves adding a translucent phase by means of a conveyor belt that acts as a dosing equipment. This configuration enables the process of Claim 1 to introduce a precise dose of the translucent phase in order to achieve a desired consistency and appearance of its soap mixture. In contrast, none of the conveyor belts (4, 13) of *Ooms* function as a dosing equipment, but rather they merely appear to passively transport the soap noodles, whether translucent or opaque in nature, toward the final plodder. In other words, neither of the conveyor belts (4, 13) of *Ooms* is controllable for purposes of tweaking a desired dosage of the translucent phase, as found in Claim 1. To further clarify this distinction, Applicants have added new dependent Claim 10, which requires that the conveyor belt of Claim 1 be operated at a controlled rate, for a controlled time to achieve a desired consistency of the obtained soap mixture.

Thus, for at least these reasons, Applicants respectfully assert that independent Claim 1 provides a patentable distinction over *Ooms*. Accordingly, Applicants respectfully request that the Examiner withdraw the current rejection of this claim and issue a Notice of Allowance.

IV. Rejections of Dependent Claims 2-9

The Office Action dated March 29, 2010 also rejected Claims 2-9 as being unpatentable over *Ooms*. The patentability of independent Claim 1, from which Claims 2-9 depend, has been argued as set forth above and thus Applicants will not take this opportunity to argue the merits of the rejections of these dependent claims. However, Applicants do not concede that dependent Claims 2-9 are not independently patentable and reserve the right to argue the patentability of the dependent claims at a later date if necessary.

V. New Dependent Claim 10

Applicants have added new dependent Claim 10 to further claim various embodiments of the present invention. No new matter has been added via these claims. Applicants point to at least page 5, paragraph [0103] of the specification as support for the limitations added via this claim. As such, Applicants submit that new Claim 10 is patentable over *Ooms* for at least the reasons set forth above with respect to independent Claim 1, from which it depends. Thus, Applicants respectfully request consideration and allowance of this new claim.

VI. Conclusion

In view of at least the foregoing amendments and remarks, Applicants submit that the pending claims are now in condition for allowance. Applicants respectfully request that the claims be allowed to issue. If the Examiner wishes to discuss the application or the remarks herein, the Examiner is urged to contact the undersigned by telephone.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefor (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Appl. No.: 10/599,238
Amdt. dated September 29, 2010
Reply to Office Action of March 29, 2010

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Chris Lightner', with a long horizontal flourish extending to the right.

Christopher P. Lightner
Registration No. 62,156

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Atlanta Office (404) 881-7000
Fax Atlanta Office (404) 881-7777

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON September 29, 2010.

- Traditoraccio**, *sm.* an infamous traitor
Traditore, -trice, *smf.* a betrayer, traitor, traitress
Traditorello, -ella, *smf.* a little traitor
Traditorescamente, *adv.* treacherously
Traditoresco, -a *adj.* traitor-like, treacherous, perfidious
Tradizionale, *adj.* traditional
Tradizione, *sf.* tradition
Tradisce, *adj.* (ant.) very soft, sweet
Tradotto, -a, *adj.* translated; translocated
Traduttore, *sm.* v. Traditore
Traducibile, *adj.* translatable, that can be translated
Tradurre, *va.* 2. (traduco, *pass.* tradussi, *part.* tradotto) to translate; translocate, transfer, to translate (into another tongue)
Traduttore (traduttore), *sm.* a translator
Traduzione, *sf.* a translation, version
Tracente, *adj.* attractive, that attracts, draws; blows; the drawer of a bill of exchange
Tracenza, *sf.* attraction, seduction, charm
Trarre, *va.* 2. *irr.* to draw, pull; v. Tirare
Trasfaticamento, *sm.* great fatigue, weariness
Trasfatare, *vn.* 1. to be out of breath; — di sé, to be dying with thirst
Trasfatto, -a, *adj.* out of breath, wearied out
Trasfazione, *sm.* v. Affannone, affaccendone
Trasfesso, -a, *adj.* cleft in two, parted, split
Trasficcante, *adj.* trading, trafficking, negotiating
Trasficare, *van.* 1. to trade, traffic, negotiate; to have the management of (anything)
Trasficato, -a, *adj.* traded, negotiated
Trasficator, *sm.* a merchant, a trader
Trasficio, *sm.* traffic, business, trade, commerce
Trasfere, *sm.* v. Pugnale
Trasfiggente, *adj.* piercing, sharp-pointed
Trasfiggere, *va.* 2. (trafiggo, *pass.* trafigsi; *part.* trafigito) to transpierce, run through; trafiggere uno, to run a person through
Trasfiggimento, *sm.* trafiggitura, *sf.* a wound, hurt
Trasfiggitore, -trice, *smf.* that pierces through
Trasfila, *sf.* wire-drawing plate, machine
Trasfilare, *va.* 1. to wire-draw
Trasfisso, -a, *adj.* pierced, wounded, stung
Trasfitta, trafigitura, *sf.* a wound, puncture
Trasfittivo, -a, *adj.* piercing, grievous
Trasfitto, -a, *adj.* pierced, transpierced, run through, grieved to the heart, stung
Trasfittura, *sf.* a wound, stinging, puncture
Trasfoglio, *sm.* (bot.) trifol (clover)
Trasfoglioso, -a, *adj.* full of trifol
Trasforare, *va.* 1. to pierce through, perforate, bore; to make a hole or tunnel through
Trasforato, -a, *adj.* pierced through, traversed
Trasforelleria, *sf.* Trasforelleria (rascal)
Trasforello, trasforello, *sm.* a thief, cheat
Trasforo, *sm.* a kind of openwork lace; a hole, hiding place, nook
Trasfreddo, -a, *adj.* (ant.) extremely cold
Trasfugamento, *sm.* a carrying off
Trasfugare, *va.* 1. to carry off, run away with; — si, to run away, elope, trasfugare una damigella, to run away with, or carry off a young lady
Trasfugato, -a, *adj.* carried off
Trasfuggire, *vn.* 3. v. Fuggire
Trasfuggitore, *sm.* deserter, runaway, fugitive
Trasfugone, *sm.* a thing carried off by stealth
Trasfurelleria, *sf.* rōquery, knavery, deceit
Trasfurello, *sm.* a little thief, rogue, knave
Trasfucola, -olo, *sfm.* skein (of silk), shibbole
Trasgacanta, *sf.* gum dragon
Tragedia, *sf.* a tragedy; a mournful event
Tragediante, *sm.* a tragic poet
Tragediare, *va.* 1. to write tragedies
Tragediuccia, *sf.* a little tragedy
Tragedo, *sm.* a writer of tragedies, tragedian
Tragedo, -a, *adj.* tragical, mournful, dreadful
Tragettare, *vn.* 1. to pass over; tragettare un fiume, to pass or cross over a river; *va.* to toss up and down, throw here and there, to jog, shake, nudge
Tragettatore, *sm.* a sleight of hand man, juggler
Tragetto, *sm.* a cross-road, cross path; passage
Traghettare, *va.* 1. to cross over, to pass from one place to another; *va.* to transport, carry over, convey, to carry, bring or help over
Traghétto, *sm.* a cross road; passing over, passage of a river, etc.
Tragicamente, *adv.* tragically, wofully
Trágico -a, *adj.* tragical; — *sm.* a tragic poet
Tragicomedia, *sf.* a tragi-comedy
Tragicómico, -a, *adj.* tragi-comic
Tragiogare, *va.* 1. not to agree, to be at variance
Tragiovante, *adj.* extremely useful
Tragittare, *van.* 1. to pass over, toss, dart
Tragittatore, *sm.* archer, Bowman, slinger
Tragitto, *sm.* a cross-road, a crossing over, a passage, voyage, journey, trip; il tragitto d'Europa in America, the passage from Europe to America
Tragiusto, -a, *adj.* very just, most just
Traglorioso, -a, *adj.* most glorious, noble
Tragrande, *adj.* very great, extremely great
Traguardare, *va.* 1. to level, try with a level, to aim, peep, see indistinctly, foresee
Traguardo, *sm.* an optic level, a gunner's level
Traimento, *sm.* the act of drawing, attracting
Trainante, *adj.* dragging along, trailing
Traina, *sm.* towing, tow; dragging; alla traina, in tow
Trainare, *va.* 1. to drag, haul, trail along
Trainato, -a, *adj.* dragged, hauled, trailed along
Traino, *sm.* a railway train, a train of wagons, a dray; a wagon load, a baggage wagon, train, carriage; a sledge, train, bag-

Fate, méte, hite, note, tûbe, - fât, mèi, bit, nôt, tûb; - fâr, pique, ➡